

A bill for an act relating to government operations; modifying provisions for general legislative and administrative expenses of state government; regulating state and local government operations; establishing a statewide electronic licensing system; requiring reports; appropriating money; amending Minnesota Statutes 2008, sections 5.12, subdivision 1; 5.29; 5.32; 5A.03; 10A.31, subdivision 4; 16A.133, subdivision 1; 16B.24, subdivision 5; 43A.49; 45.24; 270C.63, subdivision 13; 302A.821; 303.14; 303.16, subdivision 4; 308A.995; 308B.121, subdivisions 1, 2; 317A.823; 321.0206; 321.0210; 321.0810; 322B.960; 323A.1003; 333.055; 336A.04, subdivision 3; 336A.09, subdivision 2; 359.01, subdivision 3; 469.175, subdivisions 1, 6; proposing coding for new law in Minnesota Statutes, chapters 5; 16E; repealing Minnesota Statutes 2008, section 240A.08.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1
STATE GOVERNMENT APPROPRIATIONS

Section 1. SUMMARY OF APPROPRIATIONS.

The amounts shown in this section summarize direct appropriations, by fund, made in this article.

| | <u>2010</u> | <u>2011</u> | <u>Total</u> |
|---|----------------|----------------|----------------|
| <u>General</u> | \$ 304,482,000 | \$ 302,990,000 | \$ 607,472,000 |
| <u>Health Care Access</u> | 1,939,000 | 1,927,000 | 3,866,000 |
| <u>State Government Special Revenue</u> | 2,227,000 | 2,227,000 | 4,454,000 |
| <u>Environmental Remediation</u> | 448,000 | 448,000 | 896,000 |
| <u>Special Revenue</u> | 250,000 | 250,000 | 500,000 |
| <u>Highway User Tax Distribution</u> | 3,839,000 | 3,839,000 | 7,678,000 |
| <u>Workers' Compensation</u> | 2,183,000 | 2,183,000 | 4,366,000 |
| | 7,350,000 | 7,350,000 | 14,700,000 |

3.1 (b) \$1,351,000 the first year and \$1,351,000
3.2 the second year are for the Legislative
3.3 Reference Library.
3.4 (c) \$5,712,000 the first year and \$5,712,000
3.5 the second year are for the Office of the
3.6 Legislative Auditor.
3.7 (d) \$141,000 the second year is for the
3.8 expenses of the redistricting commission
3.9 established in 2009 S.F. No. 182, if enacted.
3.10 This appropriation is available until June 30,
3.11 2011. The appropriation base is \$47,000 for
3.12 fiscal year 2012 and zero for fiscal year 2013.

| | | | | |
|------|--|----|------------------|---------------------|
| 3.13 | Sec. 4. <u>GOVERNOR AND LIEUTENANT</u> | | | |
| 3.14 | <u>GOVERNOR</u> | \$ | <u>4,240,000</u> | \$ <u>4,240,000</u> |

3.15 (a) This appropriation is to fund the Office
3.16 of the Governor and Lieutenant Governor.
3.17 \$19,000 the first year and \$19,000 the
3.18 second year are for necessary expenses in
3.19 the normal performance of the governor's
3.20 and lieutenant governor's duties for which no
3.21 other reimbursement is provided.

3.22 (b) By September 1 of each year, the
3.23 commissioner of finance shall report to the
3.24 chairs of the senate State Government Budget
3.25 Division and the house of representatives
3.26 State Government Finance Division any
3.27 personnel costs incurred by the Office of
3.28 the Governor and Lieutenant Governor that
3.29 were supported by appropriations to other
3.30 agencies during the previous fiscal year.
3.31 The Office of the Governor shall inform the
3.32 chairs of the divisions before initiating any
3.33 interagency agreements.

3.34 (c) \$724,000 each year of this appropriation
3.35 represents personnel costs incurred by the

| | | | | | |
|------|--|-------------------|-------------------|----|-------------------|
| 5.1 | Sec. 6. <u>ATTORNEY GENERAL</u> | \$ | <u>25,235,000</u> | \$ | <u>25,235,000</u> |
| 5.2 | <u>Appropriations by Fund</u> | | | | |
| 5.3 | <u>2010</u> | <u>2011</u> | | | |
| 5.4 | <u>General</u> | <u>23,013,000</u> | <u>23,013,000</u> | | |
| 5.5 | <u>State Government</u> | | | | |
| 5.6 | <u>Special Revenue</u> | <u>1,827,000</u> | <u>1,827,000</u> | | |
| 5.7 | <u>Environmental</u> | <u>145,000</u> | <u>145,000</u> | | |
| 5.8 | <u>Remediation</u> | <u>250,000</u> | <u>250,000</u> | | |
| 5.9 | Sec. 7. <u>SECRETARY OF STATE</u> | \$ | <u>5,910,000</u> | \$ | <u>5,909,000</u> |
| 5.10 | <u>Any funds available in the account</u> | | | | |
| 5.11 | <u>established in Minnesota Statutes, section</u> | | | | |
| 5.12 | <u>5.30, pursuant to the Help America Vote Act,</u> | | | | |
| 5.13 | <u>are appropriated for the purposes and uses</u> | | | | |
| 5.14 | <u>authorized by federal law.</u> | | | | |
| 5.15 | Sec. 8. <u>CAMPAIGN FINANCE AND PUBLIC</u> | | | | |
| 5.16 | <u>DISCLOSURE BOARD</u> | \$ | <u>748,000</u> | \$ | <u>1,768,000</u> |
| 5.17 | <u>\$1,020,000 the second year is for transfer</u> | | | | |
| 5.18 | <u>to the general account of the state elections</u> | | | | |
| 5.19 | <u>campaign fund. This is a onetime</u> | | | | |
| 5.20 | <u>appropriation.</u> | | | | |
| 5.21 | Sec. 9. <u>INVESTMENT BOARD</u> | \$ | <u>151,000</u> | \$ | <u>151,000</u> |
| 5.22 | Sec. 10. <u>OFFICE OF ENTERPRISE</u> | | | | |
| 5.23 | <u>TECHNOLOGY</u> | \$ | <u>3,626,000</u> | \$ | <u>1,495,000</u> |
| 5.24 | <u>\$2,131,000 the first year is for information</u> | | | | |
| 5.25 | <u>technology security. The chief information</u> | | | | |
| 5.26 | <u>officer, in consultation with the commissioner</u> | | | | |
| 5.27 | <u>of finance, shall develop and implement a</u> | | | | |
| 5.28 | <u>cost recovery plan to bill state agencies,</u> | | | | |
| 5.29 | <u>constitutional officers, and other state entities</u> | | | | |
| 5.30 | <u>for the cost of information technology</u> | | | | |
| 5.31 | <u>security. By February 15, 2010, the chief</u> | | | | |
| 5.32 | <u>information officer shall report the plan and</u> | | | | |
| 5.33 | <u>the rates charged to agencies to the chairs and</u> | | | | |

6.1 ranking minority members of the legislative
6.2 committee divisions with jurisdiction over
6.3 the budget for the office.

6.4 The requirements imposed on the
6.5 commissioner of finance and the chief
6.6 information officer under Laws 2007, chapter
6.7 148, article 1, section 10, paragraph (e),
6.8 regarding the determination of the savings
6.9 attributable to the electronic licensing
6.10 system and information technology security
6.11 improvements are inoperative.

6.12 Sec. 11. **ADMINISTRATIVE HEARINGS** \$ **7,590,000** \$ **7,590,000**

| | | | |
|------|-------------------------------|------------------|------------------|
| 6.13 | <u>Appropriations by Fund</u> | | |
| 6.14 | | <u>2010</u> | <u>2011</u> |
| 6.15 | <u>General</u> | <u>340,000</u> | <u>340,000</u> |
| 6.16 | <u>Workers'</u> | | |
| 6.17 | <u>Compensation</u> | <u>7,250,000</u> | <u>7,250,000</u> |

6.18 \$65,000 each year is for performance of the
6.19 duties required under Minnesota Statutes,
6.20 section 211B.37. Amounts remaining
6.21 unspent at the end of the biennium must be
6.22 canceled to the general account of the state
6.23 elections campaign fund.

6.24 Sec. 12. **ADMINISTRATION**

6.25 Subdivision 1. **Total Appropriation** \$ **17,937,000** \$ **17,857,000**

6.26 The amounts that may be spent for each
6.27 purpose are specified in the following
6.28 subdivisions.

6.29 Subd. 2. **Government and Citizen Services** 16,211,000 16,131,000

6.30 (a) \$802,000 the first year and \$802,000
6.31 the second year are for the Land
6.32 Management Information Center. Of the total
6.33 appropriation, \$10,000 per year is intended
6.34 for preparation of township acreage data as

| | | | | |
|------|--|----------------------|-----------|-------------------|
| 7.1 | <u>provided in Laws 2008, chapter 366, article</u> | | | |
| 7.2 | <u>17, section 7, subdivision 3.</u> | | | |
| 7.3 | <u>(b) \$74,000 the first year and \$74,000</u> | | | |
| 7.4 | <u>the second year are for the Council on</u> | | | |
| 7.5 | <u>Developmental Disabilities.</u> | | | |
| 7.6 | <u>(c) \$250,000 the first year and \$170,000 the</u> | | | |
| 7.7 | <u>second year are to fund activities to prepare</u> | | | |
| 7.8 | <u>for and promote the 2010 census.</u> | | | |
| 7.9 | <u>(d) \$206,000 the first year and \$206,000 the</u> | | | |
| 7.10 | <u>second year are for the Office of the State</u> | | | |
| 7.11 | <u>Archaeologist.</u> | | | |
| 7.12 | <u>(e) \$7,888,000 the first year and \$7,888,000</u> | | | |
| 7.13 | <u>the second year are for office space costs of</u> | | | |
| 7.14 | <u>the legislature and veterans organizations,</u> | | | |
| 7.15 | <u>for ceremonial space, and for statutorily free</u> | | | |
| 7.16 | <u>space.</u> | | | |
| 7.17 | <u>(f) \$2,161,000 of the balance in the facilities</u> | | | |
| 7.18 | <u>repair and replacement account in the special</u> | | | |
| 7.19 | <u>revenue fund is canceled to the general</u> | | | |
| 7.20 | <u>fund on July 1, 2009. This is a onetime</u> | | | |
| 7.21 | <u>cancellation.</u> | | | |
| 7.22 | <u>(g) The requirements imposed on</u> | | | |
| 7.23 | <u>the commissioner of finance and the</u> | | | |
| 7.24 | <u>commissioner of administration under</u> | | | |
| 7.25 | <u>Laws 2007, chapter 148, article 1, section</u> | | | |
| 7.26 | <u>12, subdivision 2, paragraph (b), relating</u> | | | |
| 7.27 | <u>to the savings attributable to the real</u> | | | |
| 7.28 | <u>property portfolio management system are</u> | | | |
| 7.29 | <u>inoperative.</u> | | | |
| 7.30 | <u>Subd. 3. Administrative Management Support</u> | <u>1,726,000</u> | | <u>1,726,000</u> |
| 7.31 | <u>Sec. 13. CAPITOL AREA</u> | | | |
| 7.32 | <u>ARCHITECTURAL AND PLANNING</u> | | | |
| 7.33 | <u>BOARD</u> | <u>\$ 354,000</u> | <u>\$</u> | <u>354,000</u> |
| 7.34 | <u>Sec. 14. FINANCE</u> | <u>\$ 19,177,000</u> | <u>\$</u> | <u>19,177,000</u> |

| | | | | |
|------|---|--------------------|---------------------------|--|
| 8.1 | Sec. 15. <u>REVENUE</u> | | | |
| 8.2 | <u>Subdivision 1. Total Appropriation</u> | <u>\$</u> | <u>125,289,000</u> | <u>\$</u> <u>125,277,000</u> |
| 8.3 | <u>Appropriations by Fund</u> | | | |
| 8.4 | | <u>2010</u> | <u>2011</u> | |
| 8.5 | <u>General</u> | <u>121,042,000</u> | <u>121,042,000</u> | |
| 8.6 | <u>Health Care Access</u> | <u>1,761,000</u> | <u>1,749,000</u> | |
| 8.7 | <u>Highway User Tax</u> | | | |
| 8.8 | <u>Distribution</u> | <u>2,183,000</u> | <u>2,183,000</u> | |
| 8.9 | <u>Environmental</u> | <u>303,000</u> | <u>303,000</u> | |
| 8.10 | <u>The amounts that may be spent for each</u> | | | |
| 8.11 | <u>purpose are specified in subdivisions 2 and 3.</u> | | | |
| 8.12 | <u>Subd. 2. Tax System Management</u> | | <u>101,603,000</u> | <u>101,591,000</u> |
| 8.13 | <u>Appropriations by Fund</u> | | | |
| 8.14 | <u>General</u> | <u>97,356,000</u> | <u>97,356,000</u> | |
| 8.15 | <u>Health Care Access</u> | <u>1,761,000</u> | <u>1,749,000</u> | |
| 8.16 | <u>Highway User Tax</u> | | | |
| 8.17 | <u>Distribution</u> | <u>2,183,000</u> | <u>2,183,000</u> | |
| 8.18 | <u>Environmental</u> | <u>303,000</u> | <u>303,000</u> | |
| 8.19 | <u>The requirements imposed on the</u> | | | |
| 8.20 | <u>commissioners of finance and revenue under</u> | | | |
| 8.21 | <u>Laws 2007, chapter 148, article 1, section</u> | | | |
| 8.22 | <u>16, subdivision 2, paragraph (d), relating to</u> | | | |
| 8.23 | <u>the determination of savings attributable to</u> | | | |
| 8.24 | <u>implementing the integrated tax software</u> | | | |
| 8.25 | <u>package are inoperative.</u> | | | |
| 8.26 | <u>Subd. 3. Accounts Receivable Management</u> | | <u>23,686,000</u> | <u>23,686,000</u> |
| 8.27 | Sec. 16. <u>GAMBLING CONTROL</u> | <u>\$</u> | <u>2,940,000</u> | <u>\$</u> <u>2,940,000</u> |
| 8.28 | <u>These appropriations are from the lawful</u> | | | |
| 8.29 | <u>gambling regulation account in the special</u> | | | |
| 8.30 | <u>revenue fund.</u> | | | |
| 8.31 | Sec. 17. <u>RACING COMMISSION</u> | <u>\$</u> | <u>899,000</u> | <u>\$</u> <u>899,000</u> |
| 8.32 | <u>These appropriations are from the racing</u> | | | |
| 8.33 | <u>and card playing regulation accounts in the</u> | | | |
| 8.34 | <u>special revenue fund.</u> | | | |

| | | | | |
|------|--|----|------------------|---------------------|
| 9.1 | Sec. 18. <u>STATE LOTTERY</u> | | | |
| 9.2 | <u>Notwithstanding Minnesota Statutes, section</u> | | | |
| 9.3 | <u>349A.10, subdivision 3, the operating budget</u> | | | |
| 9.4 | <u>must not exceed \$28,111,000 in fiscal year</u> | | | |
| 9.5 | <u>2010 and \$28,740,000 in fiscal year 2011.</u> | | | |
| 9.6 | Sec. 19. <u>TORT CLAIMS</u> | \$ | <u>161,000</u> | \$ <u>161,000</u> |
| 9.7 | <u>These appropriations are to be spent by</u> | | | |
| 9.8 | <u>the commissioner of finance according</u> | | | |
| 9.9 | <u>to Minnesota Statutes, section 3.736,</u> | | | |
| 9.10 | <u>subdivision 7. If the appropriation for either</u> | | | |
| 9.11 | <u>year is insufficient, the appropriation for the</u> | | | |
| 9.12 | <u>other year is available for it.</u> | | | |
| 9.13 | Sec. 20. <u>MINNESOTA STATE RETIREMENT</u> | | | |
| 9.14 | <u>SYSTEM</u> | | | |
| 9.15 | <u>Subdivision 1. Total Appropriation</u> | \$ | <u>2,346,000</u> | \$ <u>2,405,000</u> |
| 9.16 | <u>The amounts that may be spent for each</u> | | | |
| 9.17 | <u>purpose are specified in the following</u> | | | |
| 9.18 | <u>subdivisions.</u> | | | |
| 9.19 | <u>Subd. 2. Legislators</u> | | <u>1,889,000</u> | <u>1,937,000</u> |
| 9.20 | <u>Under Minnesota Statutes, sections 3A.03,</u> | | | |
| 9.21 | <u>subdivision 2; 3A.04, subdivisions 3 and 4;</u> | | | |
| 9.22 | <u>and 3A.115.</u> | | | |
| 9.23 | <u>Subd. 3. Constitutional Officers</u> | | <u>457,000</u> | <u>468,000</u> |
| 9.24 | <u>Under Minnesota Statutes, section 352C.001.</u> | | | |
| 9.25 | <u>If an appropriation in this section for either</u> | | | |
| 9.26 | <u>year is insufficient, the appropriation for the</u> | | | |
| 9.27 | <u>other year is available for it.</u> | | | |
| 9.28 | Sec. 21. <u>MINNEAPOLIS EMPLOYEES</u> | | | |
| 9.29 | <u>RETIREMENT FUND</u> | \$ | <u>9,000,000</u> | \$ <u>9,000,000</u> |
| 9.30 | <u>These amounts are estimated to be needed</u> | | | |
| 9.31 | <u>under Minnesota Statutes, section 422A.101,</u> | | | |
| 9.32 | <u>subdivision 3.</u> | | | |

S.F. No. 2082, 1st Engrossment - 86th Legislative Session (2009-2010) [s2082-1]

| | | | |
|------|-------------------------------------|---------------|---------------|
| 10.1 | Sec. 22. <u>TEACHERS RETIREMENT</u> | | |
| 10.2 | <u>ASSOCIATION</u> | \$ 15,454,000 | \$ 15,454,000 |

10.3 The amounts estimated to be needed are as
10.4 follows:

10.5 (a) Special direct state aid. \$12,954,000 the
10.6 first year and \$12,954,000 the second year
10.7 are for special direct state aid authorized
10.8 under Minnesota Statutes, section 354A.12,
10.9 subdivisions 3a and 3c.

10.10 (b) Special direct state matching aid.

10.11 \$2,500,000 the first year and \$2,500,000

10.12 the second year are for special direct state

10.13 matching aid authorized under Minnesota

10.14 Statutes, section 354A.12, subdivision 3b.

| | | | |
|-------|-----------------------------------|--------------|--------------|
| 10.15 | Sec. 23. <u>ST. PAUL TEACHERS</u> | | |
| 10.16 | <u>RETIREMENT FUND</u> | \$ 2,827,000 | \$ 2,827,000 |

10.17 The amounts estimated to be needed for
10.18 special direct state aid to first class city
10.19 teachers retirement funds authorized under
10.20 Minnesota Statutes, section 354A.12,
10.21 subdivisions 3a and 3c.

| | | | | | |
|-------|---------------------------------|----|---------|----|---------|
| 10.22 | Sec. 24. <u>DULUTH TEACHERS</u> | | | | |
| 10.23 | RETIREMENT FUND | \$ | 346,000 | \$ | 346,000 |

10.24 The amounts estimated to be needed for
10.25 special direct state aid to first class city
10.26 teachers retirement funds authorized under
10.27 Minnesota Statutes, section 354A.12,
10.28 subdivisions 3a and 3c.

| | | | | | |
|-------|------------------------------------|----|---------|----|---------|
| 10.29 | Sec. 25. AMATEUR SPORTS COMMISSION | \$ | 270,000 | \$ | 270,000 |
|-------|------------------------------------|----|---------|----|---------|

10.30 The amount available for appropriation to
10.31 the commission under Laws 2005, chapter
10.32 156, article 2, section 43, is reduced in the

| | | | | |
|-------|---|----------------|------------------|-------------------|
| 11.1 | <u>first year and the second year by the amounts</u> | | | |
| 11.2 | <u>appropriated in this section.</u> | | | |
| 11.3 | Sec. 26. <u>COUNCIL ON BLACK</u> | | | |
| 11.4 | <u>MINNESOTANS</u> | \$ | <u>316,000</u> | \$ <u>316,000</u> |
| 11.5 | Sec. 27. <u>COUNCIL ON CHICANO/LATINO</u> | | | |
| 11.6 | <u>AFFAIRS</u> | \$ | <u>298,000</u> | \$ <u>298,000</u> |
| 11.7 | Sec. 28. <u>COUNCIL ON ASIAN-PACIFIC</u> | | | |
| 11.8 | <u>MINNESOTANS</u> | \$ | <u>275,000</u> | \$ <u>275,000</u> |
| 11.9 | Sec. 29. <u>INDIAN AFFAIRS COUNCIL</u> | \$ | <u>468,000</u> | \$ <u>468,000</u> |
| 11.10 | Sec. 30. <u>GENERAL CONTINGENT</u> | | | |
| 11.11 | <u>ACCOUNTS</u> | \$ | <u>1,000,000</u> | \$ <u>500,000</u> |
| 11.12 | <u>Appropriations by Fund</u> | | | |
| 11.13 | | <u>2010</u> | <u>2011</u> | |
| 11.14 | <u>General</u> | <u>500,000</u> | <u>-0-</u> | |
| 11.15 | <u>State Government</u> | | | |
| 11.16 | <u>Special Revenue</u> | <u>400,000</u> | <u>400,000</u> | |
| 11.17 | <u>Workers'</u> | | | |
| 11.18 | <u>Compensation</u> | <u>100,000</u> | <u>100,000</u> | |
| 11.19 | <u>(a) The appropriations in this section</u> | | | |
| 11.20 | <u>may only be spent with the approval of</u> | | | |
| 11.21 | <u>the governor after consultation with the</u> | | | |
| 11.22 | <u>Legislative Advisory Commission pursuant</u> | | | |
| 11.23 | <u>to Minnesota Statutes, section 3.30.</u> | | | |
| 11.24 | <u>(b) If an appropriation in this section for</u> | | | |
| 11.25 | <u>either year is insufficient, the appropriation</u> | | | |
| 11.26 | <u>for the other year is available for it.</u> | | | |
| 11.27 | <u>(c) If a contingent account appropriation</u> | | | |
| 11.28 | <u>is made in one fiscal year, it should be</u> | | | |
| 11.29 | <u>considered a biennial appropriation.</u> | | | |
| 11.30 | Sec. 31. <u>PROHIBITIONS ON USE OF APPROPRIATIONS.</u> | | | |
| 11.31 | <u>An appropriation in this article may not be used for out-of-state travel that is not</u> | | | |
| 11.32 | <u>directly connected with and necessary to carry out the core functions of the agency or</u> | | | |
| 11.33 | <u>constitutional office to which the appropriation was made.</u> | | | |

ARTICLE 2

STATE GOVERNMENT OPERATIONS

Section 1. **[5.001] DEFINITIONS.**

Subdivision 1. **Applicability.** As used in this chapter, the terms defined in this section have the meanings given them.

Subd. 2. **Business entity.** "Business entity" means an organization that is formed under chapters 300, 301, 302A, 303, 308, 308A, 308B, 315, 317, 317A, 318, 319, 319A, 321, 322A, 322B, 323, or 323A and that has filed documents with the secretary of state.

Subd. 3. **Business entity filings.** "Business entity filings" means any filing from a business entity and also includes filings made under chapter 333.

Subd. 4. **Bulk data.** "Bulk data" means data that has commercial value and is a substantial or discrete portion of or an entire formula, pattern, compilation, program, device, method, technique, process, database, or system.

Sec. 2. **[5.002] E-MAIL ADDRESSES.**

The secretary of state is authorized to provide a field on each of the forms and on each online entry screen used for business entity filings, Uniform Commercial Code records, and central notification system filings, for the collection of an e-mail address to which the secretary of state can forward official notices required by law and other notices to the business entity, assumed name, or the person filing the Uniform Commercial Code or central notification system record. The e-mail address may be updated by or on behalf of the business entity by sending a notification of the change to the secretary of state. No fee shall be charged for an e-mail address update. E-mail addresses collected by the secretary of state pursuant to this section must not be provided as bulk data.

EFFECTIVE DATE. This section is effective 30 days after the secretary of state certifies that the information systems of the Office of the Secretary of State have been modified to implement this section.

Sec. 3. Minnesota Statutes 2008, section 5.12, subdivision 1, is amended to read:

Subdivision 1. **Fees.** The secretary of state shall charge a fee of \$5 for each certificate or certification of a copy or electronically transmitted image of any document filed in the Office of the Secretary of State. The secretary of state shall charge a fee of \$3 for a copy or electronically transmitted image of an original ~~filing of a corporation, limited partnership, assumed name, or trade or service mark~~ business entity filing. The secretary of state shall charge a fee of \$3 for a copy or electronically transmitted image of

~~any or all each subsequent filings of a corporation, limited partnership, assumed name, or trade or service mark business entity filing.~~ The secretary of state shall charge a fee of ~~\$1 per page for copies~~ \$3 for a copy or electronically transmitted image of ~~any other nonuniform commercial code documents~~ document filed with the secretary of state. At the time of filing, the secretary of state may provide at the public counter, without charge, a copy of a filing, ten or fewer pages in length, to the person making the filing.

EFFECTIVE DATE. This section is effective 30 days after the secretary of state certifies that the information systems of the Office of the Secretary of State have been modified to implement this section.

Sec. 4. Minnesota Statutes 2008, section 5.29, is amended to read:

5.29 BULK AGENT NAME AND ADDRESS CHANGES GLOBAL FILINGS.

~~The filing fee charged for filing an amendment is charged for each document filed.~~ (a) When a registered agent for multiple business entities files an instrument that changes its name or office address pursuant to sections 302A.123, subdivision 3; 303.10; 308A.025, subdivision 5; 317A.123, subdivision 3; 318.02; and 322B.135, subdivision 3; and chapters 321; 323; and 323A, but the cumulative fee shall not exceed \$10,000 for entities governed by the provisions of chapters 302A, 303, 308A, 317A, 318, 322A, 322B, 323, and 323A, the change for each business entity must be filed online as a separate transaction, and a separate filing fee charged.

(b) When a secured party wishes to file an amendment to a financing statement making a change in secured party or debtor name and address information, each amendment must be filed online as a separate transaction and a separate filing fee charged.

EFFECTIVE DATE. This section is effective 30 days after the secretary of state certifies that the information systems of the Office of the Secretary of State have been modified to implement this section.

Sec. 5. Minnesota Statutes 2008, section 5.32, is amended to read:

5.32 TEMPORARY TECHNOLOGY SURCHARGE.

Subdivision 1. **Surcharge.** For fiscal years 2008 ~~and~~ 2009, 2010, and 2011, the following technology surcharges are imposed on the filing fees required under the following statutes:

(1) \$25 for articles of incorporation filed under section 302A.151;

(2) \$25 for articles of organization filed under section 322B.17;

14.1 (3) \$25 for applications for certificates of authority to transact business in Minnesota
14.2 filed under section 303.06;

14.3 (4) \$20 for annual reports filed by non-Minnesota corporations under section
14.4 303.14; and

14.5 (5) \$50 for reinstatements to authority to transact business in Minnesota filed under
14.6 section 303.19.

14.7 Subd. 2. **Deposit.** The surcharges listed in subdivision 1 shall be deposited into the
14.8 uniform commercial code account.

14.9 Subd. 3. **Expiration.** This section expires June 30, ~~2009~~ 2011.

14.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.

14.11 Sec. 6. **[5.34] ANNUAL RENEWAL FILINGS.**

14.12 Any business registered with the secretary of state required to file an annual renewal
14.13 in order to maintain its active status, good standing, or existence under Minnesota Statutes
14.14 shall file that renewal, whether online or otherwise, in a format that states:

14.15 (1) the name in Minnesota of the organization for which the renewal is filed;

14.16 (2) the name of the organization in the jurisdiction in which it is organized, if
14.17 different;

14.18 (3) the address of the registered office or designated office and the name of the
14.19 registered agent of the organization for service of process, if any;

14.20 (4) the jurisdiction in which the organization is organized, if that jurisdiction is
14.21 not Minnesota;

14.22 (5) the name and business address of the officer or other person exercising the
14.23 principal functions of the president of a nonprofit corporation, manager of a limited
14.24 liability company, or chief executive officer of a corporation or cooperative;

14.25 (6) the address of the principal executive office of a domestic business corporation
14.26 or of a limited liability company or the principal place of business of a cooperative, if
14.27 different from the registered office address;

14.28 (7) the address of the designated office and the name, street, and mailing address of
14.29 the agent for service of process in Minnesota of a limited partnership or foreign limited
14.30 partnership;

14.31 (8) the street and mailing address of the principal office of a limited partnership;

14.32 (9) the street and mailing address of the chief executive office of a partnership and, if
14.33 different, the street address of an office of a partnership in Minnesota, if any;

14.34 (10) the name, street, mailing address, and telephone number of an individual
14.35 who may be contacted for purposes other than services of process on behalf of a

15.1 limited partnership or a limited liability partnership, if the agent for the limited liability
15.2 partnership, limited partnership, or foreign limited partnership is not an individual; and
15.3 (11) the e-mail address of the organization to which notices from the secretary of
15.4 state will be directed, if the organization has an e-mail address.

15.5 Sec. 7. Minnesota Statutes 2008, section 5A.03, is amended to read:

15.6 **5A.03 ORGANIZATION APPLICATION FOR REGISTRATION.**

15.7 (a) An application for registration as an international student exchange visitor
15.8 placement organization must be submitted in the form prescribed by the secretary of
15.9 state. The application must include:

15.10 (1) evidence that the organization meets the standards established by the secretary of
15.11 state by rule;

15.12 (2) the name, address, and telephone number of the organization, its chief executive
15.13 officer, and the person within the organization who has primary responsibility for
15.14 supervising placements within the state;

15.15 (3) the organization's unified business identification number, if any;

15.16 (4) the organization's United States Information Agency number, if any;

15.17 (5) evidence of Council on Standards for International Educational Travel listing, if
15.18 any;

15.19 (6) whether the organization is exempt from federal income tax; and

15.20 (7) a list of the organization's placements in Minnesota for the previous academic
15.21 year including the number of students placed, their home countries, the school districts in
15.22 which they were placed, and the length of their placements.

15.23 (b) The application must be signed by the chief executive officer of the organization
15.24 and the person within the organization who has primary responsibility for supervising
15.25 placements within Minnesota. If the secretary of state determines that the application is
15.26 complete, the secretary of state shall file the application and the applicant is registered.

15.27 (c) Organizations that have registered shall inform the secretary of state of any
15.28 changes in the information required under paragraph (a), clause (1), within 30 days of the
15.29 change. There is no fee to amend a registration.

15.30 (d) Registration under this chapter is valid for one year. The registration may be
15.31 renewed annually. The fee to renew a registration is \$50 per year.

15.32 (e) Organizations registering for the first time in Minnesota must pay an initial
15.33 registration fee of \$150.

(f) Fees collected by the secretary of state under this section must be deposited in the state treasury and credited to the general fund ~~and are added to the appropriation from which registration costs are paid.~~

Sec. 8. Minnesota Statutes 2008, section 10A.31, subdivision 4, is amended to read:

Subd. 4. **Appropriation.** ~~(a)~~ The amounts designated by individuals for the state elections campaign fund, less three percent, are appropriated from the general fund, must be transferred and credited to the appropriate account in the state elections campaign fund, and are annually appropriated for distribution as set forth in subdivisions 5, 5a, 6, and 7. The remaining three percent must be kept in the general fund for administrative costs.

~~(b) In addition to the amounts in paragraph (a), \$1,250,000 for each general election is appropriated from the general fund for transfer to the general account of the state elections campaign fund.~~

~~Of this appropriation, \$65,000 each fiscal year must be set aside to pay assessments made by the Office of Administrative Hearings under section 211B.37. Amounts remaining after all assessments have been paid must be canceled to the general account.~~

Sec. 9. Minnesota Statutes 2008, section 16A.133, subdivision 1, is amended to read:

Subdivision 1. **Payroll direct deposit and deductions.** An agency head in the executive, judicial, and legislative branch shall, upon written request signed by an employee, directly deposit all or part of an employee's pay to those credit unions or financial institutions, as defined in section 47.015, designated by the employee.

An agency head ~~may~~ must, upon written request of an employee, deduct from the pay of the employee a requested amount to be paid to the Minnesota Benefit Association, or to any ~~organization~~ organizations contemplated by section 179A.06, of which the employee is a member. ~~If an employee has more than one account with the Minnesota Benefit Association or more than one organization under section 179A.06, only the Minnesota Benefit Association and one organization, as defined under section 179A.06, may be paid money by payroll deduction from the employee's pay.~~

Sec. 10. Minnesota Statutes 2008, section 16B.24, subdivision 5, is amended to read:

Subd. 5. **Renting out state property.** (a) **Authority.** The commissioner may rent out state property, real or personal, that is not needed for public use, if the rental is not otherwise provided for or prohibited by law. The property may not be rented out for more than five years at a time without the approval of the State Executive Council and may never be rented out for more than 25 years. A rental agreement may provide that

17.1 the state will reimburse a tenant for a portion of capital improvements that the tenant
17.2 makes to state real property if the state does not permit the tenant to renew the lease at
17.3 the end of the rental agreement.

17.4 (b) **Restrictions.** Paragraph (a) does not apply to state trust fund lands, other state
17.5 lands under the jurisdiction of the Department of Natural Resources, lands forfeited for
17.6 delinquent taxes, lands acquired under section 298.22, or lands acquired under section
17.7 41.56 which are under the jurisdiction of the Department of Agriculture.

17.8 (c) **Rental of living accommodations.** The commissioner shall establish rental rates
17.9 for all living accommodations provided by the state for its employees. Money collected as
17.10 rent by state agencies pursuant to this paragraph must be deposited in the state treasury
17.11 and credited to the general fund.

17.12 (d) **Lease of space in certain state buildings to state agencies.** The commissioner
17.13 may lease portions of the state-owned buildings under the custodial control of the
17.14 commissioner to state agencies and the court administrator on behalf of the judicial branch
17.15 of state government and charge rent on the basis of space occupied. Notwithstanding any
17.16 law to the contrary, all money collected as rent pursuant to the terms of this section shall
17.17 be deposited in the state treasury. Money collected as rent:

17.18 (1) to recover the bond interest costs of a building funded from the state bond
17.19 proceeds fund ~~shall be credited to the general fund. Money collected as rent;~~

17.20 (2) to recover the depreciation costs of a building funded from the state bond
17.21 proceeds fund; ~~and money collected as rent~~

17.22 (3) to recover capital expenditures from capital asset preservation and replacement
17.23 appropriations and statewide building access appropriations shall be credited to a
17.24 ~~segregated asset preservation and replacement account in a special revenue fund. Fifty~~
17.25 ~~percent of the money credited to the account each fiscal year must be transferred to the~~
17.26 ~~general fund. The remaining money in the account is appropriated to the commissioner to~~
17.27 ~~be expended for asset preservation projects as determined by the commissioner.~~

17.28 Money collected as rent to recover the depreciation and interest costs of a building built
17.29 with other state dedicated funds shall be credited to the dedicated fund which funded the
17.30 original acquisition or construction. All other money received shall be credited to the
17.31 general services revolving fund.

17.32 (e) **Lease of space in Andersen and Freeman buildings.** The commissioner may
17.33 lease space in the Elmer L. Andersen and Orville L. Freeman buildings to state agencies
17.34 and charge rent on the basis of space occupied. Money collected as rent under this
17.35 paragraph to fund future building repairs must be credited to a segregated account for each
17.36 building in the special revenue fund and is appropriated to the commissioner to make

the repairs. When the state acquires title to each building, the account for that building must be abolished and any balance remaining in the account must be transferred to the appropriate asset preservation and replacement account created under paragraph (d).

Sec. 11. **[16E.22] STATEWIDE ELECTRONIC LICENSING SYSTEM.**

Subdivision 1. **Account established; appropriation.** The statewide electronic licensing account is created in the special revenue fund. Receipts credited to the account are appropriated to the state chief information officer for completion of the Minnesota electronic licensing system, for transferring licensing agencies to the system, and for operation and maintenance of the system during the completion and transfer period.

Subd. 2. **Requirements.** The transfer of an existing electronic licensing system to the Minnesota electronic licensing system may not reduce the critical functionality provided by the existing system.

Subd. 3. **Temporary licensing surcharge.** (a) Except as provided in subdivision 5, executive branch state agencies shall collect a temporary surcharge of ten percent of the licensing fee, but no less than \$5 and no more than \$150 on each business, commercial, professional, or occupational license that:

(1) requires a fee; and

(2) will be transferred to the Minnesota electronic licensing system, as determined by the state chief information officer.

The surcharge applies to initial license applications and license renewals. Each agency that issues a license subject to this subdivision shall collect the surcharge for the license for up to six years between July 1, 2009, and June 30, 2015, as directed by the state chief information officer. Receipts from the surcharge shall be deposited in the statewide licensing account established in subdivision 1.

(b) An agency may transfer an amount equivalent to the surcharge imposed under this section from existing license accounts in lieu of collecting the surcharge required under this section. If a transfer is made under this paragraph, the temporary surcharge required under paragraph (a) does not apply to the relevant license. Receipts from transfers received under this paragraph shall be deposited in the statewide licensing account established in subdivision 1.

Subd. 4. **Contract authority.** The state chief information officer may enter into a risk-share or phased agreement with a vendor to complete the Minnesota electronic licensing system and to transfer licensing agencies to the system, provided that the payment for the vendor's services under the agreement is limited to the revenue from the surcharge enacted under subdivision 2, after payment of state operating and maintenance

costs. The agreement must clearly indicate that the state chief information officer may only expend amounts actually collected from the surcharge, after state operations and maintenance costs have been paid, in payment for the vendor's services and that the vendor assumes this risk when performing work under the contract. This section does not require the state chief information officer to pay the vendor the entire amount of the surcharge revenue that remains after payment of state operations and maintenance costs. Before entering into a contract under this subdivision, the state chief information officer must consult with the commissioner of finance regarding the implementation of the surcharge and the terms of the contract.

Subd. 5. **Unused funds.** Money remaining in the statewide electronic licensing account after payment of all costs of completing the Minnesota electronic licensing system, transferring licensing agencies to the system, and operating and maintaining the system during the completion and transfer period is appropriated for the costs of operating and maintaining the Minnesota electronic licensing system after the system has been completed.

Subd. 6. **Priority.** To the extent possible, in completing the Minnesota electronic licensing system, the state chief information officer must give priority to licenses that are not issued electronically. Licenses regulated by a health board under chapter 214 must not be transferred to the Minnesota electronic licensing system before July 1, 2011.

Subd. 7. **Exemption.** The licenses included within the electronic licensing system established under section 45.24 are not subject to the surcharge required under subdivision 2.

Subd. 8. **Expiration.** This section expires on June 30, 2017.

Sec. 12. Minnesota Statutes 2008, section 43A.49, is amended to read:

43A.49 VOLUNTARY UNPAID LEAVE OF ABSENCE.

(a) Appointing authorities in state government may allow each employee to take unpaid leaves of absence for up to 1,040 hours between June 1, ~~2007~~ 2009, and June 30, ~~2009~~ 2011. The 1,040 hour limit replaces, and is not in addition to, limits set in prior laws. Each appointing authority approving such a leave shall allow the employee to continue accruing vacation and sick leave, be eligible for paid holidays and insurance benefits, accrue seniority, and accrue service credit and credited salary in the state retirement plans as if the employee had actually been employed during the time of leave. An employee covered by the unclassified plan may voluntarily make the employee contributions to the unclassified plan during the leave of absence. If the employee makes these contributions, the appointing authority must make the employer contribution. If the leave of absence

is for one full pay period or longer, any holiday pay shall be included in the first payroll warrant after return from the leave of absence. The appointing authority shall attempt to grant requests for the unpaid leaves of absence consistent with the need to continue efficient operation of the agency. However, each appointing authority shall retain discretion to grant or refuse to grant requests for leaves of absence and to schedule and cancel leaves, subject to the applicable provisions of collective bargaining agreements and compensation plans.

(b) To receive eligible service credit and credited salary in a defined benefit plan, the member shall pay an amount equal to the applicable employee contribution rates. If an employee pays the employee contribution for the period of the leave under this section, the appointing authority must pay the employer contribution. The appointing authority may, at its discretion, pay the employee contributions. Contributions must be made in a time and manner prescribed by the executive director of the Minnesota State Retirement Association.

EFFECTIVE DATE. This section is effective June 1, 2009.

Sec. 13. Minnesota Statutes 2008, section 45.24, is amended to read:

45.24 LICENSE TECHNOLOGY FEES.

(a) The commissioner may establish and maintain an electronic licensing database system for license origination, renewal, and tracking the completion of continuing education requirements by individual licensees who have continuing education requirements, and other related purposes.

(b) The commissioner shall pay for the cost of operating and maintaining the electronic database system described in paragraph (a) through a technology surcharge imposed upon the fee for license origination and renewal, for individual licenses that require continuing education.

(c) The surcharge permitted under paragraph (b) shall be up to \$40 for each two-year licensing period, except as otherwise provided in paragraph (f), and shall be payable at the time of license origination and renewal.

(d) The Commerce Department technology account is hereby created as an account in the special revenue fund.

(e) The commissioner shall deposit the surcharge permitted under this section in the account created in paragraph (d), and funds in the account are appropriated to the commissioner in the amounts needed for purposes of this section. After licenses subject to this section are included in the statewide electronic licensing system, the commissioner

21.1 of finance shall transfer an amount determined by the commissioner of commerce from
21.2 the account to the statewide electronic licensing system account under section 16E.22
21.3 for the costs incurred by the statewide licensing system attributable to the inclusion of
21.4 licenses subject to this section.

21.5 (f) The commissioner shall temporarily reduce or suspend the surcharge as necessary
21.6 if the balance in the account created in paragraph (d) exceeds \$2,000,000 as of the end of
21.7 any calendar year and shall increase or decrease the surcharge as necessary to keep the
21.8 fund balance at an adequate level but not in excess of \$2,000,000.

21.9 Sec. 14. Minnesota Statutes 2008, section 270C.63, subdivision 13, is amended to read:

21.10 Subd. 13. **Lien search fees.** Upon request of any person, the filing officer shall issue
21.11 a certificate showing whether there is recorded in that filing office, on the date and hour
21.12 stated in the certificate, any notice of lien or certificate or notice affecting any lien filed
21.13 on or after ten years before the date of the search certificate, naming a particular person,
21.14 and giving the date and hour of filing of each notice or certificate naming the person. The
21.15 fee for a certificate shall be as provided by section 336.9-525 or 357.18, subdivision 1,
21.16 clause (3). Upon request, the filing officer shall furnish a copy of any notice of state lien,
21.17 or notice or certificate affecting a state lien, for a fee of ~~50 cents~~ \$1 per page, except that
21.18 after July 1, 2009, section 5.12, subdivision 1, governs the fee charged by the secretary of
21.19 state for a copy or electronically transmitted image.

21.20 Sec. 15. Minnesota Statutes 2008, section 302A.821, is amended to read:

21.21 **302A.821 MINNESOTA CORPORATE REGISTRATION RENEWAL.**

21.22 Subdivision 1. **Annual ~~registration~~ renewal.** (a) The secretary of state ~~must~~ may
21.23 ~~send annually to each corporation at the registered office of the corporation a postcard,~~
21.24 using the information provided by the corporation pursuant to section 5.002 or 5.34 or
21.25 the articles of incorporation, a notice announcing the need to file the annual registration
21.26 renewal and informing the corporation that the annual ~~registration~~ renewal may be filed
21.27 online and that paper filings may also be made, and informing the corporation that failing
21.28 to file the annual ~~registration~~ renewal will result in an administrative dissolution of the
21.29 corporation.

21.30 (b) Each calendar year beginning in the calendar year following the calendar year
21.31 in which a corporation incorporates, the corporation must file with the secretary of state
21.32 by December 31 of each calendar year a ~~registration~~ renewal containing the information
21.33 listed in subdivision 2.

Subd. 2. **Information required; manner of filing.** ~~The registration must include:~~
filing must be made pursuant to section 5.34.

- ~~(1) the name of the corporation;~~
- ~~(2) the address of its principal executive office, if different from the registered office address;~~
- ~~(3) the address of its registered office and the name of the registered agent, if any;~~
- ~~(4) the state of incorporation; and~~
- ~~(5) the name and business address of the officer or other person exercising the principal functions of the chief executive officer of the corporation.~~

~~Subd. 3. **Information public.** The information required by subdivision 2 is public data. Chapter 13 does not apply to this information.~~

Subd. 4. **Penalty; reinstatement.** (a) A corporation that has failed to file a ~~registration pursuant to the requirements of subdivision 2~~ renewal complying with section 5.34 must be dissolved by the secretary of state as described in paragraph (b).

(b) If the corporation has not filed the ~~registration~~ renewal during any calendar year, the secretary of state must issue a certificate of administrative dissolution and the certificate must be filed in the Office of the Secretary of State. The secretary of state must make available in an electronic format the names of the dissolved corporations. A corporation dissolved in this manner is not entitled to the benefits of section 302A.781. The liability, if any, of the shareholders of a corporation dissolved in this manner shall be determined and limited in accordance with section 302A.557, except that the shareholders shall have no liability to any director of the corporation under section 302A.559, subdivision 2.

(c) After administrative dissolution, filing a ~~registration~~ renewal complying with section 5.34 and the \$25 fee with the secretary of state:

- (1) returns the corporation to good standing as of the date of the dissolution;
- (2) validates contracts or other acts within the authority of the articles, and the corporation is liable for those contracts or acts; and
- (3) restores to the corporation all assets and rights of the corporation to the extent they were held by the corporation before the dissolution occurred, except to the extent that assets or rights were affected by acts occurring after the dissolution or sold or otherwise distributed after that time.

Sec. 16. Minnesota Statutes 2008, section 303.14, is amended to read:

303.14 ANNUAL ~~REPORT~~ RENEWAL.

Subdivision 1. ~~Filed with secretary of state; contents~~ Notice; filing. Each calendar year beginning in the calendar year following the calendar year in which a corporation

receives a certificate of authority to do business in Minnesota, the secretary of state ~~must mail by first class mail an annual registration form to the registered office of each corporation as shown on the records of the secretary of state. The form must include the following~~ may send to the corporation, using the information provided by the corporation pursuant to section 5.002 or 5.34 or the application for certificate of authority, a notice~~:~~ announcing the need to file the annual renewal and informing the corporation that the annual renewal may be filed online and that paper filings may also be made, and informing the corporation that failing to file the annual renewal will result in an administrative dissolution or revocation of certificate of authority to do business in Minnesota.

~~"NOTICE: Failure to file this form by December 31 of this year will result in the revocation of the authority of this corporation to transact business in Minnesota without further notice from the secretary of state, pursuant to Minnesota Statutes, section 303.17."~~

The corporation will submit a \$115 fee with the annual ~~registration~~ renewal and will set forth on the form~~:~~ the items required by section 5.34.

~~(1) the name of the corporation, and, if the corporation has designated an alternate name pursuant to section 303.05, subdivision 1, that alternate name;~~

~~(2) the name of the registered agent of the corporation in Minnesota;~~

~~(3) the address of its registered office;~~

~~(4) the state of incorporation; and~~

~~(5) the name and business address of the officer or other person exercising the principal functions of the chief executive officer of the corporation.~~

Sec. 17. Minnesota Statutes 2008, section 303.16, subdivision 4, is amended to read:

Subd. 4. **Approval; filing.** The application for withdrawal shall be delivered to the secretary of state. Upon receiving and examining the same, and upon finding that it conforms to the provisions of this chapter, the secretary of state shall, when all license fees, filing fees, and other charges other than the fee required by section 303.14 have been paid as required by law, file the same and shall issue and record a certificate of withdrawal. Upon the issuance of the certificate, the authority of the corporation to transact business in this state shall cease.

Sec. 18. Minnesota Statutes 2008, section 308A.995, is amended to read:

308A.995 PERIODIC REGISTRATION ANNUAL RENEWAL.

Subdivision 1. ~~Periodic registration in certain years~~ **Annual renewal.** Each cooperative governed by this chapter must file ~~a periodic registration~~ an annual renewal with the secretary of state in each ~~odd-numbered~~ calendar year following the calendar year

in which the cooperative was incorporated. ~~In these years,~~ The secretary of state ~~must~~ may ~~mail by first class mail a registration form to the registered office of each cooperative as shown on the records of the secretary of state, or if no such address is in the records, to the location of the principal place of business shown on the records of the secretary of state.~~ ~~The form must include the following notice:~~ send annually to the cooperative, using the information provided by the cooperative pursuant to section 5.002 or 5.34 or the articles of incorporation, a notice announcing the need to file the annual renewal and informing the cooperative that the annual renewal may be filed online and that paper filings may also be made, and informing the cooperative that failing to file the annual renewal will result in an administrative dissolution of the cooperative.

~~"NOTICE: Failure to file this form by December 31 of this year will result in the dissolution of this cooperative without further notice from the secretary of state, pursuant to Minnesota Statutes, section 308A.995, subdivision 4, paragraph (b)."~~

Subd. 2. **Minnesota cooperative registration renewal form.** In each calendar year in which a registration renewal is to be filed, a cooperative must file with the secretary of state ~~a registration~~ an annual renewal by December 31 of that calendar year containing: the items required by section 5.34.

~~(1) the name of the cooperative;~~
~~(2) the address of its registered office;~~
~~(3) the address of its principal place of business, if different from the registered office address; and~~
~~(4) the name and business address of the officer or other person exercising the principal functions of the chief executive officer of the cooperative.~~

Subd. 3. **Information public.** ~~The information required by subdivision 1 is public data.~~

Subd. 4. **Penalty; dissolution.** (a) A cooperative that has failed to file a registration renewal pursuant to the requirements of this section by December 31 of the calendar year for which the registration renewal was required must be dissolved by the secretary of state as described in paragraph (b).

(b) If the cooperative has not filed the registration renewal by December 31 of that calendar year, the secretary of state must issue a certificate of involuntary dissolution, and the certificate must be filed in the Office of the Secretary of State. The secretary of state must make available in an electronic format the names of the dissolved cooperatives. A cooperative dissolved in this manner is not entitled to the benefits of section 308A.981.

Subd. 5. **Reinstatement.** A cooperative may retroactively reinstate its existence by filing a single annual ~~registration~~ renewal and paying a \$25 fee. Filing the annual ~~registration~~ renewal with the secretary of state:

(1) returns the cooperative to active status as of the date of the dissolution;

(2) validates contracts or other acts within the authority of the articles, and the cooperative is liable for those contracts or acts; and

(3) restores to the cooperative all assets and rights of the cooperative and its shareholders or members to the extent they were held by the cooperative and its shareholders or members before the dissolution occurred, except to the extent that assets or rights were affected by acts occurring after the dissolution or sold or otherwise distributed after that time.

EFFECTIVE DATE. This section is effective 30 days after the secretary of state certifies that the information systems of the Office of the Secretary of State have been modified to implement this section.

Sec. 19. Minnesota Statutes 2008, section 308B.121, subdivision 1, is amended to read:

Subdivision 1. ~~Periodic registration in certain years~~ **Annual renewal.** Each cooperative governed by this chapter ~~and each foreign cooperative registered under section 308B.151~~ must file a ~~periodic registration~~ an annual renewal with the secretary of state ~~with the initial articles and any amendment of the articles in each odd-numbered calendar year after the calendar year in which the cooperative incorporated. In these years,~~ The secretary of state ~~must mail by first class mail a registration form to the registered office of each cooperative and registered foreign cooperative as shown in the records of the secretary of state, or if no such address is in the records, to the location of the principal place of business shown in the records of the secretary of state. For a cooperative, the form must include the following notice:~~ may send annually to each cooperative, using the information provided by the cooperative pursuant to section 5.002 or 5.34 or the articles of organization, a notice announcing the need to file the annual renewal and informing the cooperative that the annual renewal may be filed online and that paper filings may also be made, and informing the cooperative that failing to file the annual renewal will result in an administrative dissolution.

~~"NOTICE: Failure to file this form by December 31 of this year will result in the dissolution of this cooperative without further notice from the secretary of state, under Minnesota Statutes, section 308B.121, subdivision 4, paragraph (b)."~~

~~For a foreign cooperative, the form must contain the following notice:~~

~~"NOTICE: Failure to file this form by December 31 of this year will result in the loss of good standing and the authority to do business in Minnesota."~~

EFFECTIVE DATE. This section is effective 30 days after the secretary of state certifies that the information systems of the Office of the Secretary of State have been modified to implement this section.

Sec. 20. Minnesota Statutes 2008, section 308B.121, subdivision 2, is amended to read:

Subd. 2. **Registration Renewal form.** In each calendar year in which a ~~registration~~ renewal is to be filed, a cooperative must file with the secretary of state ~~a registration by~~ December 31 of that calendar year a renewal containing: ~~the items required by section 5.34.~~

- ~~(1) the name of the cooperative;~~
- ~~(2) the address of its registered office;~~
- ~~(3) the address of its principal place of business, if different from the registered office address; and~~
- ~~(4) the name and business address of the officer or other person exercising the principal functions of the chief executive officer of the cooperative.~~

EFFECTIVE DATE. This section is effective 30 days after the secretary of state certifies that the information systems of the Office of the Secretary of State have been modified to implement this section.

Sec. 21. Minnesota Statutes 2008, section 317A.823, is amended to read:

317A.823 ANNUAL CORPORATE REGISTRATION RENEWAL.

Subdivision 1. **Annual registration renewal.** (a) The secretary of state ~~must~~ may send annually to each corporation ~~at the registered office of the corporation, using the information provided by the corporation pursuant to section 5.002 or 5.34 or the articles of incorporation,~~ a ~~postcard~~ notice announcing the need to file the annual ~~registration~~ renewal and informing the corporation that the annual ~~registration~~ renewal may be filed online and that paper filings may also be made, and informing the corporation that failing to file the annual ~~registration~~ renewal will result in an administrative dissolution of the corporation.

(b) Each calendar year beginning in the calendar year following the calendar year in which a corporation incorporates, a corporation must file with the secretary of state by December 31 of each calendar year a registration containing the information ~~listed in paragraph (c)~~ required by section 5.34.

~~(c) The registration must include:~~

~~(1) the name of the corporation;~~
~~(2) the address of its registered office;~~
~~(3) the name of its registered agent, if any; and~~
~~(4) the name and business address of the officer or other person exercising the principal functions of president of the corporation.~~

Subd. 2. **Penalty.** (a) A corporation that has failed to file a registration renewal pursuant to ~~the requirements of~~ subdivision 1 must be dissolved by the secretary of state as described in paragraph (b).

(b) If the corporation has not filed the delinquent registration renewal, the secretary of state must issue a certificate of involuntary dissolution, and the certificate must be filed in the Office of the Secretary of State. The secretary of state must also make available in an electronic format the names of the dissolved corporations. A corporation dissolved in this manner is not entitled to the benefits of section 317A.781.

Sec. 22. Minnesota Statutes 2008, section 321.0206, is amended to read:

321.0206 DELIVERY TO AND FILING OF RECORDS BY SECRETARY OF STATE; EFFECTIVE TIME AND DATE.

(a) A record authorized or required to be delivered to the secretary of state for filing under this chapter must be captioned to describe the record's purpose, be in a medium permitted by the secretary of state, and be delivered to the secretary of state. Unless the secretary of state determines that a record does not comply with the filing requirements of this chapter, and if the appropriate filing fees have been paid, the secretary of state shall file the record and:

(1) for a statement of dissociation, send:

(A) a copy of the filed statement to the person which the statement indicates has dissociated as a general partner; and

(B) a copy of the filed statement to the limited partnership;

(2) for a statement of withdrawal, send:

(A) a copy of the filed statement to the person on whose behalf the record was filed; and

(B) if the statement refers to an existing limited partnership, a copy of the filed statement to the limited partnership; and

(3) for all other records, send a copy of the filed record to the person on whose behalf the record was filed.

(b) Upon request and payment of a fee, the secretary of state shall send to the requester a certified copy of the requested record.

28.1 (c) Except as otherwise provided in sections 321.0116 and 321.0207, a record
28.2 delivered to the secretary of state for filing under this chapter may specify an effective
28.3 time and a delayed effective date. Except as otherwise provided in this chapter, a record
28.4 filed by the secretary of state is effective:

28.5 (1) if the record does not specify an effective time and does not specify a delayed
28.6 effective date, on the date and at the time the record is filed as evidenced by the secretary
28.7 of state's endorsement of the date and time on the record;

28.8 (2) if the record specifies an effective time but not a delayed effective date, on the
28.9 date the record is filed at the time specified in the record;

28.10 (3) if the record specifies a delayed effective date but not an effective time, at 12:01
28.11 a.m. on the earlier of:

28.12 (A) the specified date; or

28.13 (B) the 30th day after the record is filed; or

28.14 (4) if the record specifies an effective time and a delayed effective date, at the
28.15 specified time on the earlier of:

28.16 (A) the specified date; or

28.17 (B) the 30th day after the record is filed.

28.18 (d) The appropriate fees for filings under this chapter are:

28.19 (1) for filing a certificate of limited partnership, \$100;

28.20 (2) for filing an amended certificate of limited partnership, \$50;

28.21 (3) for filing a name reservation for a limited partnership name, \$35;

28.22 ~~(3)~~ (4) for filing any other record, other than the annual ~~report~~ renewal required by
28.23 section 321.0210, for which no fee must be charged, required or permitted to be delivered
28.24 for filing, ~~\$35~~ \$50;

28.25 ~~(4)~~ (5) for filing a certificate requesting authority to transact business in Minnesota
28.26 as a foreign limited partnership, ~~\$85~~ \$100;

28.27 ~~(5)~~ (6) for filing an application of reinstatement, \$25;

28.28 ~~(6)~~ (7) for filing a name reservation for a foreign limited partnership name, \$35; and

28.29 ~~(7)~~ (8) for filing any other record, other than the annual ~~report~~ renewal required by
28.30 section 321.0210, for which no fee must be charged, required or permitted to be delivered
28.31 for filing on a foreign limited partnership authorized to transact business in Minnesota,
28.32 \$50.

28.33 Sec. 23. Minnesota Statutes 2008, section 321.0210, is amended to read:

28.34 **321.0210 ANNUAL ~~REPORT~~ RENEWAL FOR SECRETARY OF STATE.**

28.35 (a) Subject to subsection (b):

(1) in each calendar year following the calendar year in which a limited partnership becomes subject to this chapter, the limited partnership must deliver to the secretary of state for filing an annual ~~registration~~ renewal containing the information required by subsection (c); and

(2) in each calendar year following the calendar year in which there is first on file with the secretary of state a certificate of authority under section 321.0904 pertaining to a foreign limited partnership, the foreign limited partnership must deliver to the secretary of state for filing an annual ~~registration~~ renewal containing the information required by subsection (c).

(b) A limited partnership's obligation under subsection (a) ends if the limited partnership delivers to the secretary of state for filing a statement of termination under section 321.0203 and the statement becomes effective under section 321.0206. A foreign limited partnership's obligation under subsection (a) ends if the secretary of state issues and files a certificate of revocation under section 321.0906 or if the foreign limited partnership delivers to the secretary of state for filing a notice of cancellation under section 321.0907(a) and that notice takes effect under section 321.0206. If a foreign limited partnership's obligations under subsection (a) end and later the secretary of state files, pursuant to section 321.0904, a new certificate of authority pertaining to that foreign limited partnership, subsection (a)(2), again applies to the foreign limited partnership and, for the purposes of subsection (a)(2), the calendar year of the new filing is treated as the calendar year in which a certificate of authority is first on file with the secretary of state.

(c) The annual ~~registration~~ renewal must contain: ~~the items required by section 5.34.~~

~~(1) the name of the limited partnership or foreign limited partnership;~~

~~(2) the address of its designated office and the name and street and mailing address of its agent for service of process in Minnesota and, if the agent is not an individual, the name, street and mailing address, and telephone number of an individual who may be contacted for purposes other than service of process with respect to the limited partnership;~~

~~(3) in the case of a limited partnership, the street and mailing address of its principal office; and~~

~~(4) in the case of a foreign limited partnership, the name of the state or other jurisdiction under whose law the foreign limited partnership is formed and any alternate name adopted under section 321.0905(a).~~

(d) The secretary of state shall:

(1) administratively dissolve under section 321.0809 a limited partnership that has failed to file a ~~registration~~ renewal pursuant to subsection (a); and

(2) revoke under section 321.0906 the certificate of authority of a foreign limited partnership that has failed to file a ~~registration~~ renewal pursuant to subsection (a).

Sec. 24. Minnesota Statutes 2008, section 321.0810, is amended to read:

321.0810 REINSTATEMENT FOLLOWING ADMINISTRATIVE DISSOLUTION.

(a) A limited partnership that has been administratively dissolved or a foreign limited partnership that has had its certificate of authority revoked may ~~apply to the secretary of state for reinstatement~~ reinstatement after the effective date of dissolution. ~~The application~~ To reinstate, the annual renewal required by section 5.34 must be delivered to the secretary of state for filing ~~and state;~~ with the reinstatement fee of \$25.

~~(1) the name of the limited partnership and the effective date of its administrative dissolution;~~

~~(2) that the grounds for dissolution either did not exist or have been eliminated; and~~

~~(3) that the limited partnership's name satisfies the requirements of section 321.0108.~~

~~The application must also include any documents that were required to be delivered for filing to the secretary of state but which were not so delivered.~~

(b) If the secretary of state determines that ~~an application~~ an annual renewal contains the information required by subsection (a) and that the information is correct and ~~the application includes~~ is accompanied by the appropriate fee, the secretary of state shall file the ~~reinstatement application and serve the limited partnership with a copy~~ renewal and reinstate the limited partnership or foreign limited partnership.

(c) When reinstatement becomes effective, it relates back to and takes effect as of the effective date of the administrative dissolution or revocation and the limited partnership may resume its activities as if the administrative dissolution or revocation had never occurred, except that for the purposes of section 321.0103(c) and (d) the reinstatement is effective only as of the date the reinstatement is filed.

Sec. 25. Minnesota Statutes 2008, section 322B.960, is amended to read:

322B.960 ANNUAL ~~REGISTRATION~~ RENEWAL.

Subdivision 1. **Annual ~~registration~~ renewal form.** (a) The secretary of state ~~must~~ may send annually to each limited liability company ~~at the registered office of the corporation a postcard,~~ using the information provided by the limited liability company pursuant to section 5.002 or 5.34 or the articles of organization, a notice announcing the need to file the annual ~~registration~~ renewal and informing the limited liability company that the annual ~~registration~~ renewal may be filed online and that paper filings may also be

made, and informing the limited liability company that failing to file the annual ~~registration~~ renewal will result in an administrative termination of the limited liability company or the revocation of the authority of the limited liability company to do business in Minnesota.

(b) Each calendar year beginning in the calendar year following the calendar year in which a limited liability company files articles of organization, a limited liability company must file with the secretary of state by December 31 of each calendar year a ~~registration~~ renewal containing the ~~information listed in subdivision 2~~ items required by section 5.34.

~~Subd. 2. Information required; fees. The registration must include:~~

~~(1) the name of the limited liability company or the name under which a foreign limited liability company has registered in this state;~~

~~(2) the address of its principal executive office, if different from the registered address;~~

~~(3) the address of its registered office;~~

~~(4) the name of its registered agent, if any;~~

~~(5) the state or jurisdiction of organization; and~~

~~(6) the name and business address of the manager or other person exercising the principal functions of the chief manager of the limited liability company.~~

Subd. 4. **Penalty.** (a) A domestic limited liability company that has not filed a ~~registration~~ renewal pursuant to ~~the requirements of subdivision 2,~~ this section is administratively terminated. The secretary of state shall issue a certificate of administrative termination which must be filed in the office of the secretary of state. The secretary of state must also make available in an electronic format the names of the terminated limited liability companies.

(b) A non-Minnesota limited liability company that has not filed a ~~registration~~ renewal pursuant to ~~the requirements of subdivision 2,~~ this section shall have its authority to do business in Minnesota revoked. The secretary of state must issue a certificate of revocation which must be filed in the Office of the Secretary of State. The secretary of state must also make available in an electronic format the names of the revoked non-Minnesota limited liability companies.

Subd. 5. **Reinstatement.** If a limited liability company is administratively terminated or has its authority to do business in Minnesota revoked, it may retroactively reinstate its existence or authority to do business by filing a single annual ~~registration~~ renewal and paying a \$25 fee.

(a) For a domestic limited liability company, filing the annual ~~registration~~ renewal with the secretary of state:

(1) returns the limited liability company to active status as of the date of the administrative termination;

(2) validates contracts or other acts within the authority of the articles, and the limited liability company is liable for those contracts or acts; and

(3) restores to the limited liability company all assets and rights of the limited liability company and its members to the extent they were held by the limited liability company and its members before the administrative termination occurred, except to the extent that assets or rights were affected by acts occurring after the termination, sold, or otherwise distributed after that time.

(b) For a non-Minnesota limited liability company, filing the annual ~~registration~~ renewal restores the limited liability company's ability to do business in Minnesota and the rights and privileges which accompany that authority.

Sec. 26. Minnesota Statutes 2008, section 323A.1003, is amended to read:

323A.1003 ANNUAL ~~REGISTRATION~~ RENEWAL.

(a) Each calendar year beginning in the calendar year following the calendar year in which a partnership files a statement of qualification or in which a foreign partnership becomes authorized to transact business in this state, the secretary of state ~~must mail by first class mail an annual registration form to the street address of the partnership's chief executive office, if located in Minnesota, the office in this state, if the chief executive office is not located in Minnesota, or address of the registered agent of the partnership as shown on the records of the secretary of state when the chief executive office is not located in Minnesota and no other Minnesota office exists~~ may send annually to the partnership or foreign partnership, using the information provided by the limited liability partnership pursuant to section 5.002 or 5.34 or the limited liability partnership statement of qualification, a notice. The ~~form must include the following notice:~~ will announce the need to file the annual renewal and will inform the partnership or foreign partnership that the annual renewal may be filed online and that paper filings may also be made and that ~~"NOTICE: failure to file this form the notice by December 31 of this year will result in the revocation of the statement of qualification of this limited liability partnership without further notice from the secretary of state pursuant to Minnesota Statutes, section 323A.1003, subsection (d)."~~

(b) A limited liability partnership, and a foreign limited liability partnership authorized to transact business in this state, shall file an annual ~~registration~~ renewal in the office of the secretary of state which contains: the information required by section 5.34.

~~(1) the name of the limited liability partnership and the state or other jurisdiction under whose laws the foreign limited liability partnership is formed;~~

~~(2) the street address, including the zip code, of the partnership's chief executive office and, if different, the street address, including the zip code, of an office of the partnership in this state, if any;~~

~~(3) if the partnership does not have an office in this state, the name and street address, including the zip code, of the partnership's current agent for service of process; and~~

~~(4) if the agent for service of process under clause (3) is not an individual, the name, street address, and telephone number of an individual who may be contacted for purposes other than service of process with respect to the limited liability partnership.~~

(c) An annual ~~registration~~ renewal must be filed once each calendar year beginning in the year following the calendar year in which a partnership files a statement of qualification or a foreign partnership becomes authorized to transact business in this state.

(d) The secretary of state must revoke the statement of qualification of a partnership that fails to file an annual ~~registration~~ renewal when due or pay the required filing fee. The secretary of state must issue a certificate of revocation which must be filed in the office of the secretary of state. The secretary of state must also make available in an electronic format the names of the revoked limited liability companies.

(e) A revocation under subsection (d) only affects a partnership's status as a limited liability partnership and is not an event of dissolution of the partnership.

(f) A partnership whose statement of qualification has been revoked may apply to the secretary of state for reinstatement ~~within one year after the effective date of the revocation~~. A partnership must file an annual ~~registration~~ renewal to apply for reinstatement and pay a reinstatement fee of ~~\$135~~ \$160.

(g) A reinstatement under subsection (f) relates back to and takes effect as of the effective date of the revocation, and the partnership's status as a limited liability partnership continues as if the revocation had never occurred.

Sec. 27. Minnesota Statutes 2008, section 333.055, is amended to read:

333.055 TERM OF CERTIFICATE.

Subdivision 1. **Application and renewal.** Filing of a certificate hereunder shall be effective ~~for a term of ten years from the date of filing and upon application filed within the six-month period prior to the expiration of such term or a renewal thereof, on a form prescribed by the secretary of state, upon filing and shall remain in effect as long as an annual renewal for the certificate may be renewed for additional ten-year terms. A renewal fee as specified herein, payable to the secretary of state, shall accompany the application~~

~~for renewal.~~ is filed in each calendar year following the calendar year in which the original filing was filed. The certificate expires in the calendar year following a calendar year in which the annual renewal was not filed. Notice of the annual renewal requirement must be provided to the person or entity submitting the certificate at the time of the original filing.

~~The secretary of state shall notify each business holding a certificate hereunder of the necessity of renewal thereof by writing to the last known address of the business at least six months prior to the certificate's expiration date.~~

Assumed name certificates on file with the secretary of state upon the effective date of this section are exempt from the renewal requirements of this section until the expiration of the original ten-year term.

Subd. 2. ~~**Existing certificates Reinstatement.**~~ Any assumed name certificate ~~of record in the district courts and in force on July 1, 1978 shall continue in force without the necessity of another filing under section 333.01 until July 31, 1979, at which time all such certificates shall expire unless renewed as hereinafter provided. Any certificate may be renewed by filing an application with the secretary of state on a form prescribed by the secretary and paying the renewal fee prescribed by subdivision 3 within the six month period prior to the expiration of the certificate~~ that expires as a result of failing to file the annual renewal may be reinstated by filing the annual renewal with the \$25 reinstatement fee.

Subd. 2a. **Annual renewal; contents.** The annual renewal filed under subdivision 1 must include the assumed name and the address of the principal place of business.

Subd. 3. **Fees.** The secretary of state shall charge and collect: a fee of \$30 for each filing submitted with respect to an assumed name except for the annual renewal, for which no fee will be charged.

~~(a) for the filing of each certificate or amended certificate of an assumed name - \$25;~~

~~(b) certificate renewal fee - \$25.~~

Subd. 4. **Secretary of state duties.** The secretary of state shall accept for filing all certificates and renewals thereof which comply with the provisions of sections 333.001 to 333.06 and which are accompanied by the prescribed fees, notwithstanding the fact that the assumed name disclosed therein may not be distinguishable from one or more other assumed names already filed with the secretary of state. The secretary of state shall not accept for filing a certificate that discloses an assumed name that is not distinguishable from a corporate, limited liability company, limited liability partnership, cooperative, or limited partnership name in use or reserved in this state by another or a trade or service mark registered with the secretary of state, unless there is filed with the certificate a written consent, court decree of prior right, or affidavit of nonuser of the kind required by section

35.1 302A.115, subdivision 1, clause (d). The secretary of state shall determine whether a name
35.2 is distinguishable from another name for purposes of this subdivision.

35.3 **EFFECTIVE DATE; APPLICATION.** This section is effective 30 days after the
35.4 secretary of state certifies that the information systems of the Office of the Secretary of
35.5 State have been modified to implement this section, and this section applies to all existing
35.6 and new assumed name certificates on and after that date.

35.7 Sec. 28. Minnesota Statutes 2008, section 336A.04, subdivision 3, is amended to read:

35.8 Subd. 3. **Fees.** The fee for filing and indexing a standard form or format for a lien
35.9 notice, effective financing statement, or continuation statement, and stamping the date and
35.10 place of filing on a copy of the filed document furnished by the filing party is ~~\$15 until~~
35.11 ~~June 30, 2005. Effective July 1, 2005, the fee for each filing will be~~ as follows:

35.12 (1) \$20 for each effective financing statement and \$15 for each lien notice or other
35.13 filing made through the Web interface of the Office of the Secretary of State; and

35.14 (2) \$25 for each effective financing statement and \$20 for each lien notice or other
35.15 filing submitted in any other manner; and

35.16 (3) no fee will be charged for filing a termination statement.

35.17 Filing fees collected by a satellite office must be deposited in the general fund of the
35.18 county in which the satellite office is located.

35.19 Sec. 29. Minnesota Statutes 2008, section 336A.09, subdivision 2, is amended to read:

35.20 Subd. 2. **Searches; fees.** (a) If a person makes a request, the filing officer shall
35.21 conduct a search of the computerized filing system for effective financing statements or
35.22 lien notices and statements of continuation of a particular debtor. The filing officer shall
35.23 produce a report including the date, time, and results of the search by issuing:

35.24 (1) a listing of the file number, date, and hour of each effective financing statement
35.25 found in the search and the names and addresses of each secured party on the effective
35.26 financing statements or of each lien notice found in the search and the names and address
35.27 of each lienholder on the lien notice; or

35.28 (2) upon request, both the report and photocopies of the effective financing
35.29 statements or lien notices.

35.30 (b) The uniform fee for conducting a search and for preparing a report is \$20 per
35.31 debtor name. ~~If an oral or facsimile response is requested, there is an additional fee of \$5~~
35.32 ~~per debtor name requested. A fee of \$1 per page as set by section 5.12 will be charged for~~

photocopies of effective financing statements, lien notices, continuation statements, or termination statements.

(c) Search fees collected by a satellite office must be deposited in the general fund of the county where the satellite office is located.

Sec. 30. Minnesota Statutes 2008, section 359.01, subdivision 3, is amended to read:

Subd. 3. **Fees.** (a) When making application for a commission the applicant must submit, along with the information required by the secretary of state, a nonrefundable fee of \$40.

(b) All fees shall be retained by the secretary of state and are nonreturnable, except ~~that for an overpayment of a fee is the subject of a refund upon proper application.~~

Sec. 31. Minnesota Statutes 2008, section 469.175, subdivision 1, is amended to read:

Subdivision 1. **Tax increment financing plan.** (a) A tax increment financing plan shall contain:

(1) a statement of objectives of an authority for the improvement of a project;

(2) a statement as to ~~the development program for the project, including~~ the property within the project, if any, that the authority intends to acquire, identified by parcel number, identifiable property name, block, or other appropriate means indicating the area in which the authority intends to acquire properties;

(3) a list of any development activities that the plan proposes to take place within the project, ~~for which contracts have been entered into at the time of the preparation of the plan,~~ including the names of the parties to the contract, the activity governed by the contract, the estimated cost stated in the contract, and the expected date of completion of that activity;

(4) ~~identification or description of the type of any other specific development reasonably expected to take place within the project, and the date when the development is likely to occur;~~

~~(5)~~ estimates of the following:

(i) cost of the project, including administrative expenses, ~~except that if part of the cost of the project is paid or financed with increment from the tax increment financing district, the tax increment financing plan for the district must contain an estimate of the amount of the cost of the project, including administrative expenses, and interest costs that will be paid or financed with tax increments from the district, but not to exceed the estimated tax increments to be generated by the development activity;~~

(ii) amount of ~~bonded indebtedness to be incurred~~ bonds to be issued;

(iii) ~~sources of revenue to finance or otherwise pay public costs;~~
(iv) ~~the most recent~~ original net tax capacity of taxable real property within the tax increment financing district and within any subdistrict;
(v) ~~(iv)~~ the estimated captured net tax capacity of the tax increment financing district at completion; and
(vi) ~~(v)~~ the duration of the tax increment financing district's and any subdistrict's existence;

(6) statements of the authority's alternate estimates of the impact of tax increment financing on the net tax capacities of all taxing jurisdictions in which the tax increment financing district is located in whole or in part. For purposes of one statement, the authority shall assume that the estimated captured net tax capacity would be available to the taxing jurisdictions without creation of the district, and for purposes of the second statement, the authority shall assume that none of the estimated captured net tax capacity would be available to the taxing jurisdictions without creation of the district or subdistrict;

(7) identification and description of studies and analyses used to make the determination set forth in subdivision 3, clause (2); and

(8) identification of all parcels to be included in the district or any subdistrict.

(b) The authority may specify in the tax increment financing plan the first year in which it elects to receive increment, up to four years following the year of approval of the district. This paragraph does not apply to an economic development district.

EFFECTIVE DATE. This section is effective for tax increment financing plans approved after June 30, 2009.

Sec. 32. Minnesota Statutes 2008, section 469.175, subdivision 6, is amended to read:

Subd. 6. **Annual financial reporting.** (a) The state auditor shall develop a uniform system of accounting and financial reporting for tax increment financing districts. The system of accounting and financial reporting shall, as nearly as possible:

(1) provide for full disclosure of the sources and uses of ~~public funds in tax~~ increments of the district;

(2) permit comparison and reconciliation with the affected local government's accounts and financial reports;

(3) permit auditing of the funds expended on behalf of a district, including a single district that is part of a multidistrict project or that is funded in part or whole through the use of a development account funded with tax increments from other districts or with other public money;

(4) be consistent with generally accepted accounting principles.

(b) The authority must annually submit to the state auditor a financial report in compliance with paragraph (a). Copies of the report must also be provided to the county auditor and to the governing body of the municipality, if the authority is not the municipality. To the extent necessary to permit compliance with the requirement of financial reporting, the county and any other appropriate local government unit or private entity must provide the necessary records or information to the authority or the state auditor as provided by the system of accounting and financial reporting developed pursuant to paragraph (a). The authority must submit the annual report for a year on or before August 1 of the next year.

(c) The annual financial report must also include the following items:

(1) the original net tax capacity of the district and any subdistrict under section 469.177, subdivision 1;

(2) the net tax capacity for the reporting period of the district and any subdistrict;

(3) the captured net tax capacity of the district;

(4) any fiscal disparity deduction from the captured net tax capacity under section 469.177, subdivision 3;

(5) the captured net tax capacity retained for tax increment financing under section 469.177, subdivision 2, paragraph (a), clause (1);

(6) any captured net tax capacity distributed among affected taxing districts under section 469.177, subdivision 2, paragraph (a), clause (2);

(7) the type of district;

(8) the date the municipality approved the tax increment financing plan and the date of approval of any modification of the tax increment financing plan, the approval of which requires notice, discussion, a public hearing, and findings under subdivision 4, paragraph (a);

(9) the date the authority first requested certification of the original net tax capacity of the district and the date of the request for certification regarding any parcel added to the district;

(10) the date the county auditor first certified the original net tax capacity of the district and the date of certification of the original net tax capacity of any parcel added to the district;

(11) the month and year in which the authority has received or anticipates it will receive the first increment from the district;

(12) the date the district must be decertified;

(13) for the reporting period and prior years of the district, the actual amount received from, at least, the following categories:

- 39.1 (i) tax increments paid by the captured net tax capacity retained for tax increment
39.2 financing under section 469.177, subdivision 2, paragraph (a), clause (1), but excluding
39.3 any excess taxes;
- 39.4 (ii) tax increments that are interest or other investment earnings on or from tax
39.5 increments;
- 39.6 (iii) tax increments that are proceeds from the sale or lease of property, tangible or
39.7 intangible, purchased by the authority with tax increments;
- 39.8 (iv) tax increments that are repayments of loans or other advances made by the
39.9 authority with tax increments;
- 39.10 (v) bond ~~or loan~~ proceeds; and
- 39.11 (vi) ~~special assessments;~~
- 39.12 ~~(vii) grants;~~
- 39.13 ~~(viii) transfers from funds not exclusively associated with the district; and~~
- 39.14 ~~(ix) the market value homestead credit paid to the authority under section 273.1384;~~
- 39.15 (14) for the reporting period and for the prior years of the district, the actual amount
39.16 expended for, at least, the following categories:
- 39.17 (i) acquisition of land and buildings through condemnation or purchase;
- 39.18 (ii) site improvements or preparation costs;
- 39.19 (iii) installation of public utilities, parking facilities, streets, roads, sidewalks, or
39.20 other similar public improvements;
- 39.21 (iv) administrative costs, including the allocated cost of the authority; and
- 39.22 (v) ~~public park facilities, facilities for social, recreational, or conference purposes, or~~
39.23 ~~other similar public improvements; and~~ for housing districts, construction of affordable
39.24 housing;
- 39.25 ~~(vi) transfers to funds not exclusively associated with the district;~~
- 39.26 (15) the amount of any payments for activities and improvements located outside of
39.27 the district that are paid for or financed with tax increments;
- 39.28 (16) the amount of payments of principal and interest that are made during the
39.29 reporting period on any nondefeased:
- 39.30 (i) general obligation tax increment financing bonds;
- 39.31 (ii) other tax increment financing bonds, including pay-as-you-go contracts and
39.32 notes; and
- 39.33 ~~(iii) notes and pay-as-you-go contracts;~~
- 39.34 (17) the principal amount, at the end of the reporting period, of any nondefeased:
- 39.35 (i) general obligation tax increment financing bonds;

(ii) other tax increment financing bonds, including pay as you go contracts and notes; and

~~(iii) notes and pay-as-you-go contracts;~~

(18) the amount of principal and interest payments that are due for the current calendar year on any nondefeased:

(i) general obligation tax increment financing bonds; and

(ii) other tax increment financing bonds, including pay-as-you-go contracts and notes; and

~~(iii) notes and pay-as-you-go contracts;~~

(19) if the fiscal disparities contribution under chapter 276A or 473F for the district is computed under section 469.177, subdivision 3, paragraph (a), the amount of total increased property taxes ~~imposed on other properties in the municipality that approved the tax increment financing plan as a result of the fiscal disparities contribution; to be paid from outside the tax increment financing district; and~~

~~(20) the estimate, if any, contained in the tax increment financing plan of the amount of the cost of the project, including administrative expenses, that will be paid or financed with tax increment; and~~

~~(21)~~ any additional information the state auditor may require.

~~(d) The commissioner of revenue shall prescribe the method of calculating the increased property taxes under paragraph (c), clause (19), and the form of the statement disclosing this information on the annual statement under subdivision 5.~~

~~(e)~~ The reporting requirements imposed by this subdivision apply to districts certified before, on, and after August 1, 1979.

EFFECTIVE DATE. This section is effective for tax increment financing reports due after December 31, 2009.

Sec. 33. **RACING LICENSE FEE RATIFICATION.**

The license fees in Minnesota Rules, part 7877.0120, are ratified by this act.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 34. **TRAINING SERVICES.**

During the biennium ending June 30, 2011, state executive branch agencies must consider using services provided by government training services before contracting with other outside vendors for similar services.

- 41.1 Sec. 35. REPEALER.
- 41.2 Minnesota Statutes 2008, section 240A.08, is repealed.

APPENDIX
Article locations in s2082-1

ARTICLE 1 STATE GOVERNMENT APPROPRIATIONS Page.Ln 1.14
ARTICLE 2 STATE GOVERNMENT OPERATIONS Page.Ln 12.1

240A.08 APPROPRIATION.

(a) \$750,000 is appropriated annually from the general fund to the Minnesota Amateur Sports Commission for the purpose of entering into long-term leases, use, or other agreements with the Metropolitan Sports Facilities Commission for the conduct of amateur sports activities at the basketball and hockey arena, consistent with the purposes set forth in this chapter, including (1) stimulating and promoting amateur sports, (2) promoting physical fitness by promoting participation in sports, (3) promoting the development of recreational amateur sport opportunities and activities, and (4) promoting local, regional, national, and international amateur sport competitions and events. The Amateur Sports Commission shall determine what constitutes amateur sports activities as provided in this chapter as of March 1, 1995. The Metropolitan Sports Facilities Commission may allocate at least 25 but no more than 50 dates a year for the conduct of amateur sports activities at the basketball and hockey arena by the Amateur Sports Commission. At least 12 of the dates must be on a Friday, Saturday, or Sunday. The Amateur Sports Commission may sell a date at the arena to another group for any purpose. Revenue from sale of these dates is appropriated to the Amateur Sports Commission for purposes listed in section 240A.04. If any amateur sports activities conducted by the Amateur Sports Commission at the basketball and hockey arena are restricted to participants of one gender, an equal number of activities on comparable days of the week must be conducted for participants of the other gender, but not necessarily in the same year. The legislature reserves the right to repeal or amend this appropriation, and does not intend this appropriation to create public debt.

(b) The Amateur Sports Commission shall not transmit to the operator of the basketball and hockey arena payment of any event-related costs or expenses, including, but not limited to, personnel, labor, services, equipment, utilities, or supplies attributable to the events unless and until the operator has demonstrated, to the satisfaction of the Amateur Sports Commission, the basis for each specific cost or expense and the means by which the costs and expenses were determined.

(c) The Amateur Sports Commission may use any ticket system as may be in place from time to time at the basketball and hockey arena, provided that any royalty or rebate fees or charges or surcharges on tickets received by the operator of the arena from third parties must be credited against event-related costs or expenses.

(d) In the establishment of event-related costs to be imposed upon the Amateur Sports Commission, the operator of the basketball and hockey arena shall provide the Amateur Sports Commission with the maximum discount that the operator has supplied to any other sponsor of a similar amateur sports event in the arena within the 180-day period immediately preceding the date of the Amateur Sports Commission event.

(e) The Amateur Sports Commission must report by August 1 each year to the chairs of the house of representatives and senate state government finance divisions on compliance with this section and on the total value of dates and ancillary services, and revenue derived from resale of dates, during the previous state fiscal year.

(f) The attorney general, on behalf of the Amateur Sports Commission, must pursue collection of monetary damages from the operator of the arena if the operator fails to comply with the requirements of this section.

(g) The books, records, documents, accounting procedures, and practices of the Metropolitan Sports Facilities Commission, the Minneapolis Community Development Agency, and any corporation with which the Minnesota Amateur Sports Commission may contract for use of the basketball and hockey arena are available for review by the Minnesota Amateur Sports Commission, the legislative auditor, and the chairs of the State Government Finance Divisions of the senate and the house of representatives, subject to chapter 13 and section 473.598, subdivision 4.